

Appln No. 09/619,553
Amdt date April 21, 2004
Reply to Office action of January 29, 2004

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested. Claims 1-22 and 43-64 are now in the application. Claims 1, 4, 5, 12 and 15 have been amended. Claims 43-64 have been added. Claims 23-42 have been canceled by the Applicants not for reasons of patentability, but to expedite the allowance of the remaining claims in the application. The Applicants expect to pursue a continuation application to address the subject matter covered by canceled claims 23-42.

The Examiner has reminded the Applicants of the proper language and format for an abstract of the disclosure, pointing out that an abstract is not to exceed 150 words. The Applicants have amended the abstract to comply with this limitation.

The Examiner has objected to the Drawings, stating however that the informal drawings filed in the Application are acceptable for examination purposes. Appropriate corrected formal drawings will be provided upon receipt of a Notice of Allowance.

The Examiner has objected to Fig. 1 of the drawings for failing to comply with 37 CFR 1.84(p)(5) by including a reference sign not mentioned in the written description. The specification has been amended to include reference to the Item 10, used to denote the link integrity (LI) frame.

The Examiner has also objected to Fig. 2 of the drawings indicating that reference numbers 205a and 210a appear to point to the same feature. Similarly, the Examiner indicates that reference numbers 205b and 210b of the same figure appear to

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point to the same feature. However, the Applicants point to page 8, line 25 of the specification wherein reference numbers 205a and 205b refer to respective nodes. Reference numbers 210a and 210b (page 8 of the specification, line 24) on the other hand refer to data layers depicted in the upper part of the nodes, and reference numbers 220a and 220b refer to the physical layers depicted in the lower part of the nodes (page 8 of the specification, lines 24-25). As such, the Applicants submit that the drawings are correct.

The Examiner has objected to the disclosure indicating that the spacing of the lines of the specification make it so that reading and entry of amendments is difficult. The applicants are also amending the specification to include reference to the priority claim set forth in the Declaration and Application Transmittal. The Applicants have accordingly attached a substitute specification with increased line spacing, including a compare copy thereof to show the amendments made.

The Examiner has rejected Claims 1-42 under 35 U.S.C. §102(e) as being anticipated by Compliment et al. (US patent 6,360,260) ("Compliment").

The Applicants have amended Claim 1 to call in part for, "transmitting a link integrity indication frame based upon determining the node state status as not being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval".

As such, the Applicants submit that Amended Claim 1 is not anticipated by Compliment under 35 U.S.C. §102(e).

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Compliment provides for the discovery of managed devices by a management station. (Col. 5, lines 45-48). The managed devices of Compliment store a list of management stations from which they have received frames in their management tables. (Col. 5, lines 30-35). Each entry in Compliment's management table corresponds to one management station and contains a connection state field which may be true or false to reflect if the management station of the entry has established a connection with the managed device. (Col. 7, lines 11-21).

Compliment discloses that if during a watch dog timer interval, an SNMP GET REQUEST FRAME has not been received from a singular management station by the managed device, the device starts a registration process to re-establish contact with this singular management station by entering into either the auto-discovery trap or router ARP cache processes. (Col. 3, lines 4-39). While the managed devices of Compliment may be in contact with more than one management station at a time, the registration process is triggered by the sending of frames, or lack thereof, between a single managed device and a single management station. (Col. 3, lines 8-11). Compliment does not disclose "transmitting a link integrity indication frame based upon determining the node state status as not being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval" as currently claimed in Amended Claim 1. (emphasis added)

Accordingly, the Applicants submit that Amended Claim 1 is not anticipated by Compliment under 35 U.S.C. §102(e).

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Claims 2-11 are dependent on Amended Claim 1. As such, Claims 2-11 are believed allowable based upon Amended Claim 1.

The Applicants have amended Claim 12 to call in part for "... a transmitter coupled to the logic circuitry and the transmission medium for transmitting a link integrity indication frame over the transmission medium based upon determining by the logic circuitry that the node state status as not being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval."

Compliment does not disclose "transmitting a link integrity indication frame ... based upon determining ... the node state status as not being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval" as currently claimed in Amended Claim 12.

As such, the Applicants submit that Amended Claim 12 is not anticipated by Compliment under 35 U.S.C. §102(e).

Claims 13-22 are dependent on Amended Claim 12. As such, Claims 13-22 are believed allowable based upon Amended Claim 12.

The Applicants have added Claim 43, which calls in part for "transmitting a link integrity indication frame based upon determining the node state status as being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval, and the count of predetermined elapsed time intervals as being greater than a predefined count limit."

Compliment does not disclose "transmitting a link integrity indication frame based upon determining the node state status as not being indicative of having received frames from each of a

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plurality of sending nodes during the predetermined elapsed time interval, and the count of predetermined elapsed time intervals as being greater than a predefined count limit" as currently claimed in Claim 43. (emphasis added).

As such, the Applicants submit that Claim 43 is not anticipated by Compliment under 35 U.S.C. §102(e).

Claims 44-64 are dependent on Claim 43. As such, Claims 44-64 are believed allowable based upon Claim 43.

The Applicants have added Claim 54, which calls in part for "transmitting a link integrity indication frame ... based upon determining ... the node state status as being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval, and the count of predetermined elapsed time intervals as being greater than a predefined count limit."

Compliment does not disclose "transmitting a link integrity indication frame ... based upon determining ... the node state status as being indicative of having received frames from each of a plurality of sending nodes during the predetermined elapsed time interval, and the count of predetermined elapsed time intervals as being greater than a predefined count limit." as currently claimed in Claim 54. (emphasis added).

As such, the Applicants submit that Claim 54 is not anticipated by Compliment under 35 U.S.C. §102(e).

Claims 55-64 are dependent on Claim 54. As such, Claims 55-64 are believed allowable based upon Claim 54.

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the

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prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Colin T. Dorrian
Reg. No. 54,658
626/795-9900

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